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DOCKET NO.: CHIR-0158(0316.005)



PATENT

AF/1645\$ #14  
y/2  
EOT 3/20/04

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In Re Application of: Covacci et al.**

**Serial No.: 09/360,934**

**Group Art Unit: 1645**

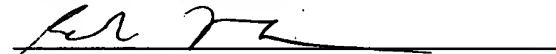
**Filing Date: July 26, 1999**

**Examiner: Bui, P.**

**For: *HELICOBACTER PYLORI* CYTOTOXIN PROTEINS USEFUL FOR  
VACCINES AND DIAGNOSTICS**

DATE OF DEPOSIT: March 7, 2001

I HEREBY CERTIFY THAT THIS PAPER IS BEING  
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Robin S. Quartin

REGISTRATION NO.: 45,028

Box ☐ NON-FEE

☒ AF

Assistant Commissioner for Patents  
Washington DC 20231

Sir:

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MAR 15 2001  
TECH CENTER 1600/2900

**AMENDMENT TRANSMITTAL LETTER**

Transmitted herewith for filing in the above-identified patent application is:

- ☐ A Preliminary Amendment.
- ☒ An Amendment Responsive to the Final Rejection Office Action Dated November 7, 2000.
- ☐ An Amendment Supplemental to the Paper filed \_\_\_\_\_.
- ☐ Other: \_\_\_\_\_.

- ☐ Small entity status of this application under 37 C.F.R. 1.9 and 1.27 was established in a previous submission.
- ☐ A Statement Claiming Small Entity Status under 37 C.F.R. 1.9 and 1.27 is enclosed.
- ☐ This application is no longer entitled to small entity status. It is requested that this be noted in the files of the Patent and Trademark Office.
- ☐ Substitute Pages \_\_\_\_\_ of the Specification are enclosed.
- ☐ An Abstract is enclosed.
- ☐ \_\_\_\_\_ Sheets of Proposed Corrected Drawings are enclosed.
- ☐ A Certified Copy of each of the following applications: \_\_\_\_\_  
\_\_\_\_\_ is enclosed.
- ☐ An Associate Power of Attorney is enclosed.
- ☐ Information Disclosure Statement.
- ☐ Attached Form 1449.
- ☐ A copy of each reference as listed on the attached Form PTO-1449 is enclosed herewith.
- ☐ Appended Material as follows: \_\_\_\_\_.
- ☒ Other Material as follows: **Attachment consisting of marked up versions of amended claims and Enclosures consisting of copies of the following - Marchetti, et al. (1998) Vaccine 16:33-7, executed declaration of Giuseppe Del Giudice and return postcard date stamped August 25, 200**\_\_\_\_\_.

## FEE CALCULATION

☐ No Additional Fee is Due.

				SMALL ENTITY		NOT SMALL ENTITY	
	REMAINING AFTER AMENDMENT	HIGHEST PAID FOR	EXTRA	RATE	FEE	RATE	FEE
TOTAL CLAIMS	14	20 (20 MINIMUM)	0	\$9 EACH	\$	\$18 EACH	\$ 0
INDEP. CLAIMS	6	6 (3 MINIMUM)	0	\$39 EACH	\$	\$78 EACH	\$ 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$130	\$	\$260	\$260.00
<input checked="" type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$55	\$	\$110	\$110.00
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$190	\$	\$380	\$
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$435	\$	\$870	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME				\$680	\$	\$1360	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME				\$925	\$	\$1850	\$
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID				minus	(\$ )	minus	(\$ )
<input type="checkbox"/> TERMINAL DISCLAIMER				\$55	\$	\$110	\$
<input type="checkbox"/> OTHER FEE OR SURCHARGE AS FOLLOWS:							
TOTAL FEE DUE							\$370.00

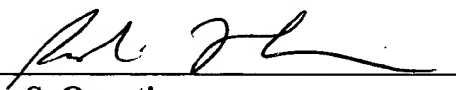
- ☒ A Check is Enclosed in the Foregoing Amount Due.
- ☒ Petition is hereby made under 37 C.F.R. 1.136(a) to extend the time for response to the Office Action of **November 7, 2000** to and through **March 7, 2001** comprising an extension of the shortened statutory period of **one (1)** month(s).
- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is

further authorized to charge any fees related to any such extension of time to deposit account 23-3050. This sheet is provided in duplicate.

- ☒ The Commissioner is authorized to charge payment of the following fees and to refund any overpayment associated with this communication or during the pendency of this application to deposit account 23-3050. This sheet is provided in duplicate.
- ☐ The Foregoing Amount Due for Filing this Paper.
- ☒ Any additional filing fees required, including fees for the presentation of extra claims under 37 C.F.R. 1.16.
- ☒ Any additional patent application processing fees under 37 C.F.R. 1.17 or 1.20(d).

**SHOULD ANY DEFICIENCIES APPEAR** with respect to this application, including deficiencies in payment of fees, missing parts of the application or otherwise, the United States Patent and Trademark Office is respectfully requested to promptly notify the undersigned.

Date: *March 7, 2001*

  
**Robin S. Quartin**  
Registration No. 45,028

Woodcock Washburn Kurtz  
Mackiewicz & Norris LLP  
One Liberty Place - 46th Floor  
Philadelphia PA 19103  
Telephone: (215) 568-3100  
Facsimile: (215) 568-3439